

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

| | | |
|----------------------|---|------------------|
| In re: |) | |
| |) | |
| EAGLE PROPERTIES AND |) | Bankruptcy Case |
| INVESTMENTS, LLC, |) | No. 23-10566-KHK |
| |) | Chapter 7 |
| Debtor. |) | |
| | |) |

**AMENDED ORDER APPROVING SALE OF 2565 (F) AND 2567 (E) CHAIN BRIDGE
ROAD, VIENNA, VA FREE AND CLEAR OF LIENS, CLAIMS AND INTERESTS
PURSUANT TO 11 U.S.C. § 363(f)**

UPON CONSIDERATION of the motion (Docket No. 492) (“Motion”) of H. Jason Gold, chapter 7 trustee (“Trustee”), to approve the sale of the property commonly known as 2565 (F) (the “2565 (F) Property”) and 2567 (E) Chain Bridge Road, Vienna, VA (the “2567 (E) Property” and together, with the 2565 (F) Property, the “Property”); and the Trustee having filed a Supplement to the Motion on June 17, 2024 (Docket No. 503); and it appearing that proper and adequate notice of the Motion has been given and that no further notice is necessary; and it appearing that the sale of the Property as set forth in the Motion is in the best interest of the estate and its creditors, and it further appearing that based upon the endorsements of counsel set forth below that LINKBANK and Bala Jain; LLC have consented to the sale of the Property as set forth herein, and that the Property may be sold free and clear of the lien of the First Deed of Trust held by LinkBank dated August 25, 2020, and recorded on August 26, 2020, in Deed Book 26452 at Page 0080; along with the Assignment of Leases and Rents recorded in Deed Book 26452 at Page 0088, provided that LinkBank receives the net proceeds from each sale after payment in full of

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all past due condo fees, past due real estate taxes, commissions, closing costs, reimbursements, prorations, \$1,000 seller credit, Bankruptcy Estate Payment and the 326(a) Trustee Commissions; and that the property may be sold free and clear of the lien of the Second Deed of Trust held by Bala Jain, LLC in the amount of \$500,000.00, dated November 30, 2020, and recorded on February 16, 2021, in Book 26891 at Page 0515, accordingly:

IT IS HEREBY ORDERED THAT:

1. The Motion as supplemented is GRANTED.
2. The Trustee is authorized to sell the 2565 (F) Property to BEKK Holdings LLC and the 2567 (E) Property to Pure Wellness Lifestyle LLC¹ (the “Purchaser”) for the aggregate sale price of \$830,000.00 consistent with the sales contract attached to the Motion as Exhibit A free and clear of all liens, claims encumbrances and interests, including those of LINKBANK and Bala Jain, LLC.
3. The Trustee is authorized to pay the secured claim of LINKBANK as set forth in

¹ The Property has the following legal description:

Condominium Unit 2-E of the Vienna Oaks Office Condominium, as the same is more particularly described in the Declaration recorded in Deed Book 5724 at Page 790 and any amendments thereto recorded among the Land Records of Fairfax County, Virginia.

TOGETHER WITH a 9.420 percentage interest in the common elements and subject to the terms and conditions of the Declaration, Exhibits Plats and Plans and By-Laws recorded in Deed Book 5724 at Page 790.

The improvements thereon being known as 2567 Chain Bridge Road, Suite 2-E, Fairfax, VA 22030

AND

Condominium Unit 2-F of the Vienna Oaks Office Condominium, as the same is more particularly described in the Declaration recorded in Deed Book 5724 at Page 790 and any amendments thereto recorded among the Land Records of Fairfax County, Virginia.

TOGETHER WITH a 9.420 percentage interest in the common elements and subject to the terms and conditions of the Declaration, Exhibits Plats and Plans and By-Laws recorded in Deed Book 5724 at Page 790.

The improvements thereon being known as 2567 Chain Bridge Road, Suite 2-F, Fairfax, VA 22030

the draft ALTAs attached collectively hereto as Exhibit A (“ALTA”).

4. Closing on the Property shall be conducted contemporaneously.

5. At closing on the Property, the Trustee shall receive, for the benefit of the estate the total sum of \$24,900.00 representing his commission under Section 326 of the Bankruptcy Code plus \$41,500.00 as additional consideration for the bankruptcy estate free and clear of all liens, claims and interests.

6. The Trustee is authorized to pay a three percent (3%) commission to his broker Century 21 Commercial New Millennium at closing for services rendered in representing the Trustee in connection with the sale.

7. The Trustee is authorized to pay a three (3%) commission to Verity Commercial, LLC at closing for services rendered in representing the Purchaser in connection with the sale.

8. The Trustee is authorized to pay all outstanding real estate taxes and other customary closing costs consistent with the ALTA.

9. The Trustee is authorized to reimburse Auction Markets, LLC at closing in an amount not to exceed \$1,000.00 for any property preservation expenses, as needed, including utilities, insurance, maintenance, repairs and trash removal.

10. This Order may be recorded in the land records wherein the subject Property is located.

11. This Court retains jurisdiction with respect to any disputes regarding the Property following the sale.

12. This Order shall be effective immediately and shall not be subject to the stay provided in Federal Rule of Bankruptcy Procedure 6004(h) or any other applicable stay.

Dated: Jul 30 2024

/s/ Klinette H Kindred
United States Bankruptcy Judge

PREPARED BY:

Entered On Docket: Jul 30 2024

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SEEN AND AGREED:

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By: /s/ James R. Meizanis, Jr. (by DGT with authority)
Jeremy B. Root, (VA Bar No. 65885)
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SEEN:

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BY: /s/Christopher L. Rogan (by DGT with authority)
Christopher L. Rogan (Bar No. 30344)

Attorneys for Bala Jain, LLC

CERTIFICATION PURSUANT TO LOCAL RULE 9022-1(C)

I HEREBY CERTIFY that this Order has been endorsed by all necessary parties.

/s/ Dylan G. Trache

Dylan G. Trache

**LIST OF PARTIES TO RECEIVE NOTICE OF ENTRY
PURSUANT TO LOCAL RULE 9022-1**

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